

THOMAS E. FRANKOVICH, (State Bar No. 074414)
JULIA M. ADAMS, (State Bar No. 230795)
THOMAS E. FRANKOVICH
A Professional Law Corporation
2806 Van Ness Ave.
San Francisco, CA 94109
Telephone: 415/674-8600
Facsimile: 415/674-9900

Attorneys for Plaintiff
SUSAN BOWMAN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SUSAN BOWMAN,)	CASE NO. CIV.S 04-1375 WBS
)	
Plaintiff,)	STIPULATION OF DISMISSAL AND
)	[PROPOSED] ORDER THEREON
v.)	
)	
SOUTH TAHOE TRAVELODGE; KML)	
CORPORATION, a California corporation)	
formerly dba SOUTH TAHOE)	
TRAVELODGE and now dba HOWARD)	
JOHNSON EXPRESS INN LAKE)	
TAHOE,)	
)	
Defendants.)	
)	

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. See Kokonen v. Guardian Life Ins. Co., 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

1 This stipulation may be executed in counterparts, all of which together shall constitute
2 one original document.

3 Dated: October 12, 2005

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

6 By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
Attorneys for Plaintiff SUSAN BOWMAN

8 Dated: October 12, 2005

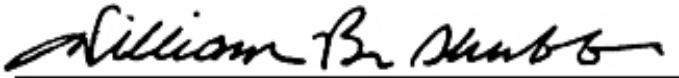
GORDON & REES

10 By: /s/ Michael D. Bruno
Michael D. Bruno
Attorneys for Defendants SOUTH TAHOE
TRAVELODGE; KML CORPORATION, a
California corporation formerly dba SOUTH
13 TAHOE TRAVELODGE and now dba HOWARD
JOHNSON EXPRESS INN LAKE TAHOE

14 **ORDER**

15 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
16 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
17 the purpose of enforcing the parties' Settlement Agreement and General Release should such
18 enforcement be necessary.

20 Dated: October 13, 2005

22 
23 WILLIAM B. SHUBB
24 UNITED STATES DISTRICT JUDGE